

To the Mayor and Members of the City Council**September 23, 2025**

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**SUBJECT: PROPOSED AMENDMENTS TO THE ZONING ORDINANCE
TO RESTRUCTURE THE BOARD OF ADJUSTMENT**

The Board of Adjustment ("Board") is a quasi-judicial body established by the City of Fort Worth to hear and decide appeals, special exceptions, and variances related to the zoning ordinance in accordance with state law (Section 2.101 Board of Adjustment, Chapter 2 Review Bodies, Appendix A Zoning Regulations, City of Fort Worth Code of Ordinances). The Board is composed of appointed residents who bring civic interest, independent judgment, understanding of zoning and planning, and, when possible, professional expertise in fields such as law, property development, building design, architecture, or mortgaging and financing. Acting as a check on administrative decisions, the Board has authority to review interpretations of the zoning administrator, grant special exceptions or variances, and consider appeals from certain design-related commissions. Its purpose is to provide a fair and impartial process for property owners and community members while ensuring zoning regulations are applied consistently and in the public interest.

The Board of Adjustment is composed of 22 regular members, divided into two panels (Residential and Commercial) of 11 members each, with members of one panel serving as alternates for the other as needed. All members must be residents of the City of Fort Worth. Members serve staggered two-year terms, with odd-numbered places expiring in odd years and even-numbered places expiring in even years and may be reappointed or continue serving for three terms or until successors are named (Fort Worth Code of Ordinances, § 2-83(a)).

One of the most significant challenges the Board of Adjustment faces is meeting and maintaining quorum as required by state law. Texas Local Government Code §211.008 requires that each case must be heard by at least 75 percent of the members, which means nine members must be present to start a meeting, remain throughout the duration of the meeting, and vote on each case. Securing consistent attendance of nine members has proven difficult, often resulting in delayed starts or the premature adjournment of meetings before all agenda items can be heard due to loss of quorum. Even when quorum is achieved, having only nine members present creates a substantial hurdle for applicants, as the affirmative vote of all nine is required for approval. This leaves little margin for differing opinions, and in many cases results in denials unless the item is reconsidered or continued to a future hearing in hopes of a fuller panel being present.

Staff recommends the following proposed changes to the structure, membership, and operations of the Board of Adjustment to improve efficiency and align with best practices:

- Combine the two existing panels into one consolidated board.
- Reduce the number of regular members from 22 (appointed by district) to 11 by district, with 4 at-large alternates to be appointed in accordance with Administrative Regulations.
- Require that 8 of the 11 regular members and all of the alternates have expertise in one of the following fields: architecture, real estate, law, property development, engineering, mortgage and financing, planning, urban design, or landscape architecture.

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- Establish attendance requirements where members with 3 or more consecutive absences may be removed and replaced by an alternate, with any new alternate appointed by Mayor and Council.

The schedule to amend the zoning ordinance to adopt the recommended changes is as follows:

- October 8 – Zoning Commission Public Hearing
- November 11 – City Council Public Hearing and action
- November 19 – Board of Adjustment (first meeting as 11-member board)

For any questions, please contact LaShondra Stringfellow, Assistant Director of Development Services at 817-392-6214 or Donnichia London, Planning Manager of Development Services at 817-392-8012.

Jesus “Jay” Chapa
City Manager